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THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISCTRICK OF CALIFORNIA
DIVISION OF SAN FRANCISCO

TAMARA DOUKAS, an individual,
Plaintiff,

v.

COUNTY OF SAN MATEO, a public entity,
PENINSULA HUMANE SOCIETY, a private
non-profit organization, DEBI DENARDI, an
individual, KIM HADDAD, an individual,
KKH INC, a private entity, SPIKE REAL
STATE, a private entity, and DOES 1 through
50, inclusive,

Defendants.

CV 08 2336 SI

**DECLARATION OF DANIEL BERKO IN
SUPPORT OF PLAINTIFF TAMARA
DOUKAS' SEPARATE CASE
MANAGEMENT CONFERENCE
STATEMENT**

I, Daniel Berko declare:

1. I am an attorney duly licensed to practice law before all courts in the State of California, and attorney of record for Plaintiff, Tamara Doukas.
2. I have personal knowledge of all facts stated herein, and if called as a witness, could and would competently testify to the under oath.
3. In late June 2008 I tried to get discussions started on matters that counsel need to discuss in preparation for the joint meeting. I sent an email to counsel for the County of San Mateo and the ‘lead counsel’ for the Peninsula Humane Society (Gordon &

Rees in both cases) but Gordon & Rees refuses to communicate by email, and I am unwilling to write correspondence through the US mail unless required by law.

Previously, in the state action, Gordon and Rees counsel and I have tried to communicate by phone, but we have been unable to do so in a manner that is intelligent, coherent or professional. At no time did anyone representing the County or the Humane Society make any effort to meet and confer with me on any issues relevant to the Joint Meeting. I have had no problem communicating and cooperating with counsel for Haddad.

4. I was told by Haddad's counsel that a Joint Case Management Conference Statement would be filed and that I was to send them my proposals by today. I did so and then was informed by them that because the County and PHS filed a separate statement, Haddad would do so as well. For that reason, Plaintiff is filing a separate statement as well.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 8th day of August, 2008 at San Francisco, California.

s/s

Daniel Berko